

**BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION**

<b>In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to establish guidelines for the purpose of certifying the use of federal universal service support.</b>	<b>Application No. NUSF-25 Progression Order No. 14</b>
<b>QWEST CORPORATION'S INITIAL COMMENTS</b>	

Qwest Corporation ("Qwest") submits its initial comments as directed by the Commission's Progression Order No. 14 (the "*Order*") dated November 1, 2005 as follows:

As stated in Qwest's comments and testimony in connection with the interim rules adopted in docket C-3415 and the permanent rules adopted in Rule and Regulation Docket No. 165, those rules require carriers to provide more information than necessary to ensure that federal universal service fund support is used for intended purposes. The new rules require each ETC to demonstrate the following, among other things, with respect to federal high cost fund monies:

- **That the ETC will offer the services supported by the federal high cost fund;**
- **That the ETC will timely provide service upon request within its service area;**
- **File a five-year plan describing on a wire-center by wire-center basis how the ETC plans to use federal high cost funds;**
- **Annually update the Commission on the ETC's progress towards the plan;**
- **Demonstrate the ability to operate even under adverse conditions; and**
- **Annually provide data of complaints, service outages, and unfulfilled orders.**

The data already required is extensive and comprehensive. No further information is required for the Commission to faithfully discharge any responsibilities it might have to make sure that federal high cost support funds are used for their intended purposes. No new rules should be considered or adopted.<sup>1</sup>

For example, the Order indicates that the Commission seeks comment on “a proposal to require information on the carriers’ proposed use of the high-cost support for the following calendar year,” Rules 009.02A and 009.003 enacted in response to R&R 165 already require carriers to file five-year plans regarding how high-cost fund monies will be used. Similarly, the “Commission proposes that carriers be required to report to the Commission how it used the high-cost support for the preceding year.” Rule 009.04A1 already requires a “progress report” on the submitted five year plans. No additional rules are needed.

In addition, the existing rules require reporting at a wire center level. These reports require a significant investment of time and resources. To reconfigure the reporting requirements to follow latitude/longitude reporting or some other basis of organizing data would serve no meaningful purpose, but would cost Qwest thousands of dollars to re-organize the data, plans and reports that are already required into a different format. Moreover, there is no evidence that reporting on a wire-center basis fails to provide more than enough data to help the Commission determine that federal high-cost funds are being used properly, so there is no compelling reason to implement a costly change to get redundant data.

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<sup>1</sup> Moreover, it is not clear what rules are being considered, and this proceeding is not the proper vehicle for the adoption of new rules.

Finally, the Commission asks for comment on the appropriate deadline for filing information. Qwest believes any information filed in connection with this inquiry or R&R 165 should be filed by carriers and processed by the Commission within timeframes that permit the Commission to certify by October 1 of each year whether each ETC is using federal high cost funds for the intended purposes. Carriers can manage these deadlines themselves consistent with the existing options of April 30 or October 1 reporting deadlines, or the Commission could move the October 1 deadline option to September 1 or September 14 to permit the necessary consideration and processing. Qwest is indifferent as to the specific deadline within these general concepts, provided the deadline is easily determined and clearly disclosed.

Dated Tuesday, December 6, 2005.

Respectfully submitted,

**QWEST CORPORATION**

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